



Robert G. Atkins
Interim Agricultural Commissioner/
Director of Weights and Measures

COUNTY OF LOS ANGELES

Department of Agricultural Commissioner/ Weights and Measures

12300 Lower Azusa Road
Arcadia, California 91006-5872
<http://acwm.co.la.ca.us>

August 17, 2004

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

SECOND RESOLUTION DECLARING NOXIOUS OR DANGEROUS WEEDS, BRUSH, RUBBISH, ETC. IN LOS ANGELES COUNTY A SEASONAL AND RECURRING PUBLIC NUISANCE (ALL DISTRICTS) (3-VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the attached resolution and establish the following date and time for Hearing of Protests by the Weed Abatement Referee: September 8, 2004, at 9:30 a.m. in the conference room of the Agricultural Commissioner/Weights and Measures Department (ACWM), located at 12300 Lower Azusa Road, Arcadia.
2. Set September 28, 2004, at 9:30 a.m. as the date and time for hearing on the Weed Abatement Referee's Second Hearing Report to abate noxious or dangerous weeds, brush, rubbish, etc. on unimproved parcels.

AFTER THE PUBLIC HEARING, IT IS RECOMMENDED THAT YOUR BOARD:

Approve the 2004 Weed Abatement Referee's Second Hearing Report.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

Attached is an additional (second) resolution declaring noxious or dangerous weeds, brush, rubbish, etc., in Los Angeles County a seasonal and recurring public nuisance when found existing upon or in front of certain unimproved properties. Said unimproved properties have been found, by inspection, to be overgrown with weeds and brush or to contain flammable rubbish. Said weeds, brush, or rubbish have attained such a growth or condition to become a fire hazard to adjacent improved property. The County of Los Angeles has a duty to protect the public safety and to take any and all actions necessary to abate a public nuisance.

Earlier this year, your Board passed a similar resolution. However, since then, additional unimproved properties have been identified as containing hazardous weeds, brush, or rubbish which may require abatement this fire season.

Implementation of Strategic Plan Goals

This action supports the County's Strategic Plan Goals of Organizational Effectiveness (Goal 3) and Fiscal Responsibility (Goal 4). The lawful process of declaring, by resolution, weeds, brush, or rubbish hazards on unimproved properties to be a public nuisance allows ACWM to assess the costs for enforcing abatement on the properties including investigation, boundary determination, measurement, clerical and other related costs. In addition, the declaration process allows ACWM to respond to weed, brush, or rubbish hazards more quickly and effectively than when using other nuisance abatement procedures.

FISCAL IMPACT/FINANCING

There is no net county cost.

ACWM will assess charges directly to private property owners if they do not comply with notice to abate and our services are required. Costs for the weed abatement services are recovered by assessments or direct billings and include full overhead charges.

The Honorable Board of Supervisors
August 17, 2004
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FACTS AND PROVISIONS/LEGAL REQUIREMENTS

Notice to destroy weeds, remove brush, rubbish, or refuse will be mailed to the property owners in the form required in Section 14892 of the California Health and Safety Code upon receipt of your approval. An affidavit of mailing will be returned to you when the mailing of notices as provided in Section 14896 of the Health and Safety Code has been completed. After the notices have been mailed, a public hearing will be held in Arcadia where the owners of unimproved property, with objections or questions, will be heard and given due consideration.

ACWM has adopted as policy relating to the clearance of weeds and brush that reasonable estimates of charges will be given if the projected charges are in excess of \$750 for work other than routine discing.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

ACWM will hire temporary workers and will contract with private contractors for equipment, equipment operators and manual laborers, to perform the required weed abatement services.

Respectfully submitted,

ROBERT G. ATKINS
Interim Agricultural Commissioner/
Director of Weights and Measures

RGARBS:cm
bdltres04SuppA.wpd

Attach.

c: Chief Administrative Officer
County Counsel
Fire Department

RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES
DECLARING PUBLIC NUISANCE

WHEREAS, weeds and brush growing upon property and/or upon the streets and sidewalks in front of such property often bear seeds of a winged or downy nature or attain such large growth as to become, when dry, a fire menace to adjacent improved property or which are otherwise noxious or dangerous: and

WHEREAS, the presence of dry grass, stubble, brush, litter, rubbish, refuse, or other flammable materials upon streets, sidewalks, and property, are conditions which endanger the public safety and constitute a public nuisance and should therefore be abated: and

WHEREAS, such dry grass, stubble, brush, noxious weeds, litter, rubbish, refuse, or other flammable materials are a seasonal and recurrent nuisance on such property located within the County of Los Angeles (the "County"); and

WHEREAS, the County of Los Angeles has a duty to protect the public safety and to take any and all actions necessary to abate a public nuisance; and

WHEREAS, Division 12, Part 5 of California Health and Safety Code (Sections 14875 through 14922, inclusive), authorizes the Board of Supervisors, by resolution, to declare a public nuisance and to authorize the abatement thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AS FOLLOWS:

SECTION 1. Board Finds. The Board of Supervisors of the County of Los Angeles hereby finds that the weeds or dry grass, stubble, brush, litter, refuse, or other flammable material in and upon and in front of the real property as described in Exhibit 1, constitute and are hereby declared to be a seasonal recurrent public nuisance which should be abated.

SECTION 2. Notice. (a) The County Agricultural Commissioner/Director of Weights and Measures (the "Commissioner") is hereby designated, authorized and directed to give notice to destroy and/or remove said weeds or dry grass, stubble, brush, litter, refuse, or other flammable material from the described property.

(b) Not less than 10 days prior to the date of the hearing, the Commissioner shall cause notice to be given to each property owner by mail as their names and addresses appear from the last equalized assessment roll or as they are known to the clerk.

SECTION 3. Hearing. On Tuesday, the 8th of September, 2004, at the hour of 9:30 a.m., in the conference room of the Agricultural Commissioner, located at 12300 Lower Azusa Rd., Arcadia, California, is fixed by this Board as the time and place when and where any and all property owners having any objections to the aforementioned proposed removal of weeds or dry grass, stubble, brush, litter, refuse, or other flammable materials may appear before the weed abatement referee and show cause why said weeds or grass, stubble, brush, litter, refuse, or other flammable material should not be removed in accordance with this resolution, and said objections will then and there be heard and given due consideration.

SECTION 4. Recovery of Inspection costs. (a) The Commissioner is hereby authorized and directed to recover its cost of inspection of the properties hereinabove described in a manner consistent with prior action of the Board adopting a fee schedule for such inspections. The recovery of these costs is vital to the ongoing operation governing the identification and abatement of those properties that constitute a public nuisance and endanger the public safety.

(b) The owners of the property, upon which, or in front of which the nuisance exists, shall be presented, both in writing and at the above-referenced hearing, with information regarding the cost of inspection.

EXHIBIT 1
DESCRIPTION OF PROPERTIES

In accordance with Chapter 2, Part 5, Division 12 of the California Health and Safety Code (commencing with Section 14880), the properties, upon which, or in front of which the nuisance exists, are hereby described in the Declaration List of properties.

NOTICE TO DESTROY WEEDS
REMOVE BRUSH, RUBBISH, OR REFUSE

NOTICE IS HEREBY GIVEN THAT on August 17, 2004, the Board of Supervisors of the County of Los Angeles passed or will pass a resolution declaring noxious or dangerous weeds, brush, tumbleweeds, sagebrush, chaparral, rubbish, or refuse were growing upon or in front of said property of certain streets in said city or unincorporated area of the County of Los Angeles, and more particularly described in the resolution, and that they constitute a fire hazard or public nuisance which must be abated by the removal of said weeds, brush, tumbleweeds, sagebrush, chaparral, rubbish, or refuse, otherwise they may be removed and the nuisance abated by County authorities and the cost of removal assessed upon the land from or in front of which the weeds, brush, tumbleweeds, sagebrush, chaparral, rubbish, or refuse are removed, and such cost will constitute a special assessment against such lots or lands. In addition, the Board of Supervisors authorized and directed the Agricultural Commissioner to recover its costs of details. All property owners having any objections to the proposed removal of weeds, brush, rubbish, or refuse and the recovery of inspection costs, are hereby notified that they may attend a weed abatement referee hearing at the headquarters of the Los Angeles County, Department of Agricultural Commissioner/Weights and Measures, 12300 Lower Azusa Rd., Arcadia, CA 91006-5872, on September 8, 2004, from 9:30 A.M. until 12:00 noon.

Protests which are not resolved will be sent before the Board of Supervisors where their objections will be heard and given due consideration.

If the property owner does not want to present objections to the proposed removal of the weeds, brush, tumbleweeds, sagebrush, chaparral, rubbish, or refuse, or the recovery of inspection costs, the owner need not appear at the above mentioned hearings.

The foregoing resolution was on
the _____ day of _____, 2004,
adopted by the Board of Supervisors of the County
of Los Angeles and ex officio the governing body
of all other special assessment and taxing districts,
agencies and authorities for which said Board so acts.

VIOLET VARONA-LUKENS, Executive Officer-
Clerk of the Board of Supervisors of
the County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

OFFICE OF THE COUNTY COUNSEL

BY _____
Deputy

**DECLARATION LIST
AUGUST 17, 2004**

ZONE	CITY CODE	PARCEL NO.
7	804	2049-005-024
7	804	2049-005-025
7	804	2049-005-026
7	030	2050-022-900
7	770	2054-037-020
7	770	2056-002-900
7	030	2061-002-905
7	804	2063-009-054
7	804	2063-019-038
7	098	2072-022-902
9	611	2839-050-052
9	000	2853-016-028
9	000	2865-001-901
9	000	2865-001-902
9	000	2865-018-901
9	000	2865-038-100
9	000	2865-038-102
9	000	2865-039-048
9	000	2865-039-049
8	820	3241-017-005
9	000	3244-038-001
9	000	3244-050-012
9	000	3244-056-001
9	000	3244-070-007
1	800	4434-004-023
1	800	4434-004-024
1	000	4451-022-025
1	000	4451-022-027
1	000	4453-035-001
7	804	4455-022-011
7	804	4455-022-027
1	000	4459-011-006
1	000	4460-017-043
1	000	4460-008-036
1	400	4461-011-022
7	804	4462-003-042

**DECLARATION LIST
AUGUST 17, 2004**

ZONE	CITY CODE	PARCEL NO.
7	804	4464-007-005
1	000	4469-015-015
1	000	4473-002-017
3	600	8385-020-041
3	600	8385-020-043
3	600	8385-025-900
3	600	8426-021-900
3	600	8426-022-902
3	600	8426-022-903
3	600	8426-023-900
3	600	8426-024-900
3	600	8426-031-051
3	130	8670-001-027
3	130	8670-001-907
3	130	8670-001-908
3	130	8670-001-917
3	130	8670-002-913
3	130	8670-002-914
3	130	8670-025-900
3	130	8670-025-901
3	130	8670-030-900
3	130	8671-001-901
3	130	8671-001-902
3	130	8671-001-903
3	130	8671-003-901
3	130	8671-003-902
3	130	8671-003-903
3	130	8671-003-904
3	130	8671-003-905
3	130	8671-003-906
3	130	8671-005-901
3	130	8671-005-902
3	130	8671-006-902
3	130	8671-010-800
3	130	8671-012-800
3	130	8671-016-901

**DECLARATION LIST
AUGUST 17, 2004**

ZONE	CITY CODE	PARCEL NO.
3	130	8671-021-057
3	130	8671-029-902
3	130	8671-030-900
3	130	8671-030-901
3	130	8671-031-900
3	130	8671-031-901
3	130	8671-031-902
3	130	8671-033-900
3	130	8671-036-801
3	130	8671-036-802
3	130	8671-036-803
3	130	8671-041-800
3	130	8671-041-900
3	130	8671-041-901
3	130	8671-043-900
3	130	8671-051-900
3	130	8673-002-904
3	130	8673-002-905
3	130	8673-006-900
3	130	8673-009-900
3	130	8673-009-901
3	130	8673-011-900
3	130	8673-015-800
3	130	8673-015-900
3	130	8673-016-800
3	130	8673-016-900
3	130	8673-016-901
3	130	8673-016-902
3	130	8673-017-900
3	130	8673-017-901
3	130	8673-019-900
3	130	8673-020-900
3	130	8673-022-027
3	130	8673-022-028
3	130	8673-022-901
3	130	8673-022-902

**DECLARATION LIST
AUGUST 17, 2004**

ZONE	CITY CODE	PARCEL NO.
3	130	8673-024-900
3	130	8673-024-901
3	130	8673-024-902
3	130	8673-025-906
3	130	8673-025-907
3	130	8673-026-041
3	130	8673-026-042
3	130	8673-026-043
3	130	8673-026-045
3	130	8673-026-046
3	130	8673-026-900
3	130	8673-026-901
3	130	8673-029-026
3	130	8673-030-272
3	130	8673-030-274
3	130	8673-030-900
3	130	8673-033-800
3	130	8673-033-900
3	130	8673-035-096
3	130	8673-035-271
3	130	8673-037-270
3	130	8673-037-900
3	130	8673-038-024
3	130	8673-040-001
3	130	8673-040-028
3	130	8673-040-029
3	130	8673-041-027
3	160	8763-028-001
3	160	8763-028-800
3	160	8765-005-902
3	160	8765-005-905

TOTAL PARCELS

139

COUNTY OF LOS ANGELES
AGRICULTURAL COMMISSIONER/
WEIGHTS and MEASURES
12300 LOWER AZUSA ROAD
ARCADIA, CA 91006-5872

OWNER OF RECORD:
MAILING ADDRESS:

The ownership and address shown are taken from the last equalized assessment roll. If either of these is incorrect, please notify the Los Angeles County Assessor at (888) 807-2111

LEGAL NOTICE

IMPORTANT YEAR 2004 NOTICE TO DESTROY WEEDS, REMOVE BRUSH, RUBBISH OR REFUSE

Notice is hereby given that on August 17, 2004, the Board of Supervisors of the County of Los Angeles passed or will pass a resolution declaring noxious or dangerous weeds, brush, tumbleweeds, sagebrush, chaparral, rubbish or refuse were growing or occurring upon or in front of said property of certain streets in said city or unincorporated area of the County of Los Angeles, and more particularly described in the resolution, and that they constitute a fire hazard or public nuisance which must be abated by the removal of said weeds, brush, tumbleweeds, sagebrush, chaparral, rubbish or refuse, otherwise they may be removed and the nuisance abated by County authorities and the cost of removal assessed upon the land from or in front of which the weeds, brush, tumbleweeds, sagebrush, chaparral rubbish or refuse are removed, and such cost will constitute a special assessment against such lots or lands. In addition, the Board of Supervisors authorized and directed the Agricultural Commissioner to recover its costs of details.

All property owners having any objections to the proposed removal of weeds, brush, rubbish or refuse, and the recovery of inspection costs, are hereby notified that they may attend a weed abatement referee hearing at:

the headquarters of the Los Angeles County, Department of Agricultural Commissioner/Weights and Measures, 12300 Lower Azusa Road, Arcadia, CA 91006-5872, on September 8, 2004, from 9:30 A.M. until 12:00 noon.

Protests which are not resolved will be sent before the Board of Supervisors where their objections will be heard and given due consideration.

THIS IS NOT A CITATION OR A SUMMONS. HOWEVER, YOUR PROPERTY MAY BE IN VIOLATION OF THE LOS ANGELES COUNTY FIRE CODE, A SPECIFIC CITY FIRE CODE, OR OTHERWISE CONTAIN A PUBLIC NUISANCE. YOU ARE NOT REQUIRED TO APPEAR AT THE WEED ABATEMENT REFEREE HEARING.

ASSESSOR'S I.D. NUMBER			THIS NOTICE DATED
MAPBOOK	PAGE	PARCEL	August 9, 2004

PROPERTY DESCRIPTION:

Robert G. Atkins
Interim Agricultural Commissioner/
Director of Weights & Measures

Upon 72 hours notice, the Department can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at our main office in Arcadia (12300 Lower Azusa Road), which is accessible to individuals with disabilities. To request accommodations ONLY, or for more ADA information, please contact our departmental ADA Coordinator at (626) 575-5454 or TDD (626) 575-5520, Monday through Thursday, from 7:00 a.m. to 5:30 p.m.



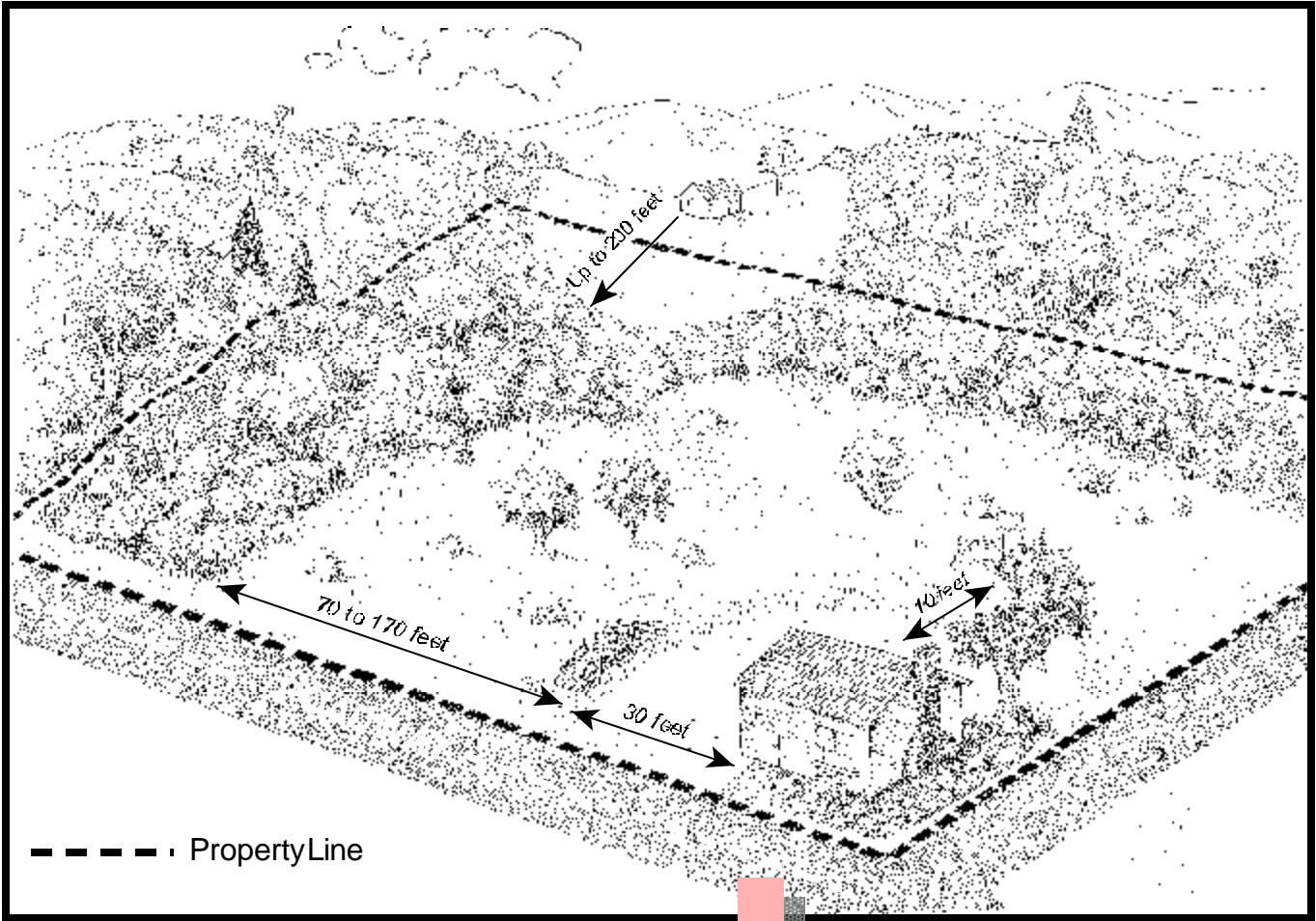
You are the recorded owner of a parcel which is declared to contain an existing or potential hazard to the health and safety of the community. **It is your responsibility to maintain this property throughout the year.** The Fire Code requires the removal of flammable vegetation or combustible growth up to 100 feet from any structure and 10 feet from roadsides. Clearance of up to 200 feet may be required in areas deemed by the local jurisdictional fire station or the Agricultural Commissioner to be extra hazardous due to brush growth, topographic features, construction, or structure location.


Owners of parcels that are within the jurisdiction of the Coastal Commission may be required to obtain a permit prior to the removal of any nuisance vegetation. Please contact the Coastal Commission for permit information.

Property that is not maintained by the owner may be maintained by the County, with the cost of such maintenance listed as a separate item (LA CO HAZ ABATE) on the annual tax bill. In the case of tax exempt and common area parcels, the maintenance cost will be billed directly to the owner.

The Board of Supervisors has authorized an inspection fee which will be assessed against all declared UNIMPROVED properties whether or not they are maintained by the property owner.

Questions regarding any aspect of the Weed Abatement Program or this legal notice can be answered by calling (626) 575-5484 or by going online at <http://acwm.co.la.ca.us>





County of Los Angeles
Department of Agricultural
Commissioner/Weights
and Measures

Weed and Brush
CLEARANCE REQUIREMENTS

IMPORTANT! Clearance requirements apply to your property even if the structure being protected is not on your property!

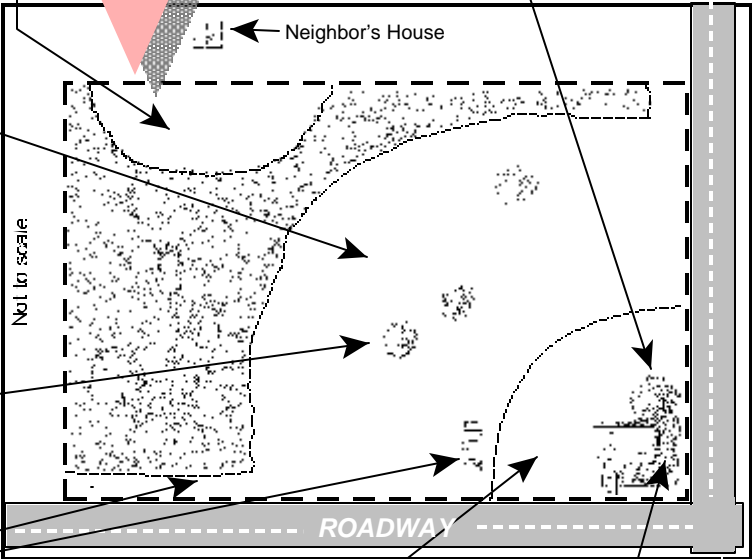
Okay to have ornamental plants and trees if individually planted, spaced and maintained so they do not form a means of transmitting fire from native growth to the structure. No portion of a tree may extend within 10 feet of the outlet of a chimney and it must be free of dead wood. (County Code sec. 1117.2.2)

IMPORTANT! Thinning or removal of vegetation an additional 70 to 130 feet (100 to 200 feet total) from structures may be required! Please contact your Zone Inspector! (626) 575-5484 <http://acwm.co.la.ca.us> Grass and other vegetation located more than 30 feet from structures and less than 18 inches in height may be maintained where necessary to stabilize soil and prevent erosion. (County Code sec. 1117.2.2(3))

Space trees and shrubs a minimum of 15 feet or three times their diameter from other shrubs. Trees should be spaced to allow a minimum of 30 feet between canopies at maturity. For trees taller than 18 feet, prune lower branches within 6 feet of the ground. For trees and shrubs less than 18 feet, prune lower branches to 1/3 of their height. Choose landscaping plants that are fire resistant and maintain all plants by regularly removing dead branches, leaves, etc. (From <http://www.lacofd.org/forestry.htm>)

Roadway clearance, minimum of 10 feet clearance for all flammable vegetation or other combustible growth. (County Code sec. 1117.10)

Firewood, manure, compost or other combustible materials must be placed or stored a minimum of 30 feet from any building or structure. (County Code sec. 1117.2.2)



Remove/clear away all flammable vegetation or combustible growth for a distance of not less than 30 feet from any structure. This includes ornamental plants known to be flammable. (County Code sec. 1117.2.2) **NATIVE PLANTS CAN BE FLAMMABLE EVEN IF GREEN!**

Okay to have cultivated ground cover provided they are maintained in a condition that does not form a means of transmitting fire from native growth to the structure. (County Code sec. 1117.2.2)